

REMARKS

The Applicants appreciate the Examiner's thorough examination of the Application and request reexamination and reconsideration of the Application in view of the following remarks.

Claims 1, 4, 6-11, 14, 15, 17, 18, and 20-22 stand rejected under 35 USC §102(e) as allegedly being anticipated by U.S. Patent No. 6,490,455 to Park et al.

The subject invention results from the realization that wireless communication devices such as cellular telephones can, without jamming, be effectively controlled in secure areas or any place where they are deemed an annoyance, but also not interfered with outside of a predefined area, by a control unit which tricks the wireless communication device into believing it has established a communication channel with the base station of a nearby cellular tower.

By measuring the absolute field strength of all received transmissions output by surrounding base stations and recording the information transmitted by the base stations, the control unit of the subject invention sets the power level of its transmitter to have an absolute field strength greater than the highest measured absolute field strength detected from a corresponding base station. Then, the cell phone transmits an interface signal, anticipating a response from the base station. The control unit then transmits a signal back to the cell phone mimicking the signal which would be transmitted by an actual base station. But, since the cell phone believes the control unit is a base station, the control unit is able to control the cell phone to prevent incoming or outgoing calls. This may be accomplished by instructing the cell phone to lower its transmission power so that further transmissions from the wireless communication device do not reach any corresponding

surrounding base stations.

Park et al. shows a method and apparatus for detecting a mobile phone in an idle state. Signal-generating unit 300, Fig. 3, generates a pseudo base station signal for transmission to a mobile phone in a detection area. Detecting unit 400 detects a response signal from the mobile phone that it transmits in response to the pseudo base station signal. When detecting unit 400 detects the response signal from the mobile phone, alarm-generating unit 500 generates an alarm to alert the person carrying the mobile phone or a supervisor that a mobile phone in idle state is present and should be turned off. See Park et al., column 9, lines 41-55. As noted at column 3, lines 33-38, Park et al. relates only to when a mobile phone is in an idle state, rather than when the mobile phone is powered-on and a communication channel is already established. Moreover, Park et al. does not teach, disclose or suggest transmitting information to a mobile phone to control the mobile phone to prevent use of the mobile phone in a predefined area.

Claim 1 of the subject invention recites "[a] method of intervening between a wireless communication device and a base station, the method comprising: employing a receiver to scan for transmissions from multiple surrounding base stations; measuring the absolute field strength of all received transmission and recording the information transmitted by the base stations; setting the transmission power level of a transmitter to have an absolute field strength greater than the highest measured absolute field strength detected from a corresponding base station; receiving an interface signal from a wireless communication device; and transmitting to the wireless communication device the corresponding information to thereafter control the wireless communication device by establishing a communication channel between the wireless communication device and

the receiver and transmitter instead of between the wireless communication device and a surrounding base station to prevent use of the wireless communication device proximate the receiver and transmitter." (Emphasis added.)

Park et al. does not teach, disclose or suggest transmitting information to a wireless communication device information to control it by establishing a communication channel between it and the receiver and transmitter rather than a surrounding base station to prevent use of the wireless communication device proximate the receiver and transmitter, as claimed by Applicants.

Rather, Park et al. teaches detecting a mobile phone in an idle state and merely generating an alarm to inform the mobile phone user or a supervisor in a restricted area that the mobile phone is present. Independent claims 8, 11, 18 and 23 of the subject application each recite similar features that distinguish over Park et al.

As noted above, the subject invention can effectively control a wireless communication device such as a cellular telephone in secure areas or any place where they are deemed an annoyance. The subject invention does not interfere with the cell phone outside of a predefined area. The claimed control unit tricks the wireless communication device into believing it has established a communication channel with the base station of a nearby cellular tower.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection under 35 USC §102(e).

Claims 2, 12 and 19 stand rejected under 35 USC §103(a) as allegedly being unpatentable over Park et al. in view of U.S. Patent No. 6,438,385 to Heinonen; claims 3 and 13 stand rejected under 35 USC §103(a) as allegedly being unpatentable over Park et

al. in view of U.S. Patent No. 6,128,507 to Takai; claims 5, 16, 23 and 25 stand rejected under 35 USC §103(a) as allegedly being unpatentable over Park et al.; and claim 24 stands rejected under 35 USC §103(a) as allegedly being unpatentable over Park et al. in view of U.S. Patent No. 6,496,104 to Kline. Since each of the claims rejected under 35 USC §103(a) depends from either of independent claims 1, 8, 18 or 23, they are patentable for at least the reasons stated above and are further patentable because they include one or more additional features. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections under 35 USC §103(a).

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts, at (781) 890-5678.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "David W. Poirier", is written over a horizontal line.

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